

THE FRIENDS OF THEODORE ROETHKE HISTORIC MARKER DEDICATION

• Mr. ABRAHAM. Mr. President, on May 18, 2000, The Friends of Theodore Roethke, a group dedicated to maintaining the legacy of the great poet, will unveil a historic marker in his honor on the lawn of his childhood home at 1805 Gratiot, Saginaw, Michigan. I rise today, Mr. President, in honor of this special occasion.

Mr. Roethke was born in Saginaw in 1908, the son of Otto and Helen Huebner Roethke. He attended the University of Michigan and Harvard Graduate School, and later was a professor at Lafayette College in Pennsylvania, Michigan State University, Penn State University, Bennington College in Vermont, and the University of Washington in Seattle.

Before his death on August 1, 1963, Mr. Roethke received many awards for his poetry. In 1954, he became the first Michigan man to win the Pulitzer Prize for his collection of poems entitled *The Waking*. And in 1959, he received the Bollingen Prize and a National Book Award for another collection of poems entitled *Words of the Wind*. Some of his other works include *The Lost Son*, *Praise to the End!*, and *I Am! Says the Lamb*.

In 1998, the Friends of Theodore Roethke purchased both Roethke homes in Saginaw, Michigan, with a mission to promote, preserve and protect the literary legacy of the great poet by restoring his family residences for cultural and educational opportunities. Since the group purchased the homes, they have written grants for educational writing workshops combining Saginaw public and Saginaw Township students, offered tours for students and teachers, purchased some of the original Roethke furnishing, opened the houses to working writers, and made some much needed repairs, such as a new furnace and asbestos removal.

Mr. President, I applaud The Friends of Theodore Roethke for their wonderful efforts to keep alive the legacy of Michigan's only Pulitzer Prize winning poet. I am sure that the unveiling of this historic marker is only the first of many tributes. On behalf of the entire United States Senate, I congratulate The Friends of Theodore Roethke on the dedication of this historic marker, and wish President Annie Ransford and the rest of the organization continued success in the future.●

IN MEMORY OF MS. MARY S. PALMERI

• Mr. ABRAHAM. Mr. President, I rise today in honor and in memory of Ms. Mary S. Palmeri, who passed away on August 30, 1999. Ms. Palmeri served the County of Wayne, Michigan, for 32 years, and has been chosen by her peers to posthumously receive the coveted Court Clerk of the Year Award, which

will be presented to her family this week.

Ms. Palmeri was born in St. Mary's Hospital in Detroit in 1939, and was a lifelong resident of the city of Dearborn, Michigan. She graduated from Fordson High School in 1958, and spent approximately two years in college. In June of 1967, Ms. Palmeri became a typist at the County of Wayne Department of Civil Service, thus beginning a thirty-two year career of public service.

A few years later Ms. Palmeri was transferred to the County Clerk's Office, where she worked in numerous offices prior to becoming a Court Clerk, including the Record Room and as Supervisor of the Appeals Department. Ms. Palmeri ultimately worked as a Court Clerk for many prominent judges, including the Honorable Henry J. Szymanski, the Honorable William J. Cahalan, and the Honorable Pamela R. Harwood.

In addition to her work, Ms. Palmeri enjoyed many hobbies, including bowling, ceramics, crocheting, knitting and crewel embroidery. She was both a terrific seamstress and a wonderful cook. She also loved to play cards, work on crossword puzzles, and play board games. She was also an active member of St. Alphonsus Catholic Church in Dearborn, Michigan. Ms. Palmeri is survived by her husband of thirty years, Frank, and their three children, Christopher, Cindy and John.

Mr. President, I am glad that the County of Wayne has chosen to honor Ms. Palmeri's many years of service by presenting her family with the Court Clerk of the Year Award. She was a hard worker who truly cared for the people around her, and her warm and generous personality is deeply missed by the entire Dearborn community.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

A DRAFT OF PROPOSED LEGISLATION ENTITLED THE "CONSUMER PRODUCT SAFETY COMMISSION ENHANCED ENFORCEMENT ACT OF 2000—MESSAGE FROM THE PRESIDENT—PM 104

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Com-

mittee on Commerce, Science, and Transportation.

To the Congress of the United States:

I am pleased to transmit today for immediate consideration and prompt enactment the "Consumer Product Safety Commission Enhanced Enforcement Act of 2000." This legislative proposal would increase the penalties that the Consumer Product Safety Commission (CPSC) could impose upon manufacturers, distributors, and retailers of consumer products who do not inform the CPSC when the company has reason to believe it has sold a product that does not meet Federal safety standards or could otherwise create a substantial product hazard. The proposal would also improve product recalls by enabling the CPSC to choose an alternative remedy in a recall if the CPSC finds that the remedy selected by the manufacturer is not in the public interest.

Under current consumer product safety laws, manufacturers, distributors, and retailers of consumer products are required to inform the CPSC whenever they have information that one of their products: (1) fails to comply with a CPSC product safety standard; (2) contains a defect that could create a substantial product hazard; or (3) creates an unreasonable risk of serious injury or death. After a company reports this information to the CPSC, the CPSC staff initiates an investigation in cooperation with the company. If the CPSC concludes that the product presents a substantial product hazard and that a recall is in the public interest, the CPSC staff will work with the company to conduct a product safety recall. The sooner the CPSC hears about a dangerous product, the sooner the CPSC can act to remove the product from store shelves and inform consumers about how to eliminate the hazard. That is why it is critical that companies inform the CPSC as soon as they are aware that one of their products may present a serious hazard to the public.

Unfortunately, in about half the cases involving the most significant hazards—where the product can cause death or serious injury—companies do not report to the CPSC. In those cases, the CPSC must get safety information from other sources, including its own investigators, consumers, or tragically, from hospital emergency room reports or death certificates. Sometimes years can pass before the CPSC learns of the product hazard, although the company may have been aware of it all along. During that time, deaths and injuries continue. Once the CPSC becomes aware of the hazard, many companies continue to be recalcitrant, and the CPSC staff must conduct its own independent investigation. This often includes finding and investigating product incidents and conducting extensive laboratory testing. This process can take a long time, which means that the most dangerous products remain on store shelves and in consumers' homes

longer, placing children and families at continuing risk.

The Consumer Product Safety Commission can currently assess civil penalties against companies who fail to report a dangerous product. Criminal penalties are also available in particularly serious cases. In fact, in 1999, the CPSC assessed 10 times the amount of civil penalties assessed 10 years ago. But, even with this more vigorous enforcement, too many companies still do not report, especially in cases involving serious harm.

This legislative proposal would enhance the CPSC's civil and criminal enforcement authority. It would provide an added incentive for companies to comply with the law so that we can get dangerous products out of stores and consumers' homes more quickly.

My legislative proposal would also help to make some product recalls more effective by allowing the CPSC to choose an alternative remedy if the CPSC finds that the manufacturer's chosen remedy is not in the public interest. Under current law, a company with a defective product that is being recalled has the right to select the remedy to be offered to the public. My proposal would continue to permit the company to select the remedy in a product recall. My proposal would also, however, allow the CPSC to determine—after an opportunity for a hearing—that the remedy selected by the company is not in the public interest.

The Consumer Product Safety Commission helps to keep America's children and families safe. This legislation proposal would help the CPSC be even more effective in protecting the public from dangerous products. I urge the Congress to give this legislation prompt and favorable consideration.

WILLIAM J. CLINTON.
THE WHITE HOUSE, May 12, 2000.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-8934. A communication from the Secretary of Agriculture, transmitting a draft of proposed legislation entitled the "U.S. Department of Agriculture Mediation and Arbitration for Agriculture Products in Foreign Commerce Act of 2000"; to the Committee on Agriculture, Nutrition, and Forestry.

EC-8935. A communication from the General Counsel, Department of Defense, transmitting a draft of proposed legislation relative to civilian personnel and Mentor-Protege Programs; to the Committee on Finance.

EC-8936. A communication from the Federal Maritime Commission transmitting, pursuant to law, the report of a rule entitled "Ocean Common Carriers Subject to the Shipping Act of 1984" (Docket No. 99-10), received May 9, 2000; to the Committee on Commerce, Science, and Transportation.

EC-8937. A communication from the Office of Thrift Supervision, Department of the Treasury transmitting, pursuant to law, the

report of a rule entitled "Transfer and Repurchase of Government Securities" (RIN1550-AB38), received May 9, 2000; to the Committee on Banking, Housing, and Urban Affairs.

EC-8938. A communication from the Secretary of the Treasury, transmitting a draft of proposed legislation entitled the "Consumer Financial Privacy Act"; to the Committee on Banking, Housing, and Urban Affairs.

EC-8939. A communication from the Secretary of Defense, transmitting, pursuant to law, a report relative to implementation of the Cooperative Threat Reduction Program under the FY 2000 Department of Defense Appropriations Act; to the Committee on Armed Services.

EC-8940. A communication from the General Counsel, Department of Defense, transmitting a draft of proposed legislation relative to civilian personnel and Mentor-Protege Programs; to the Committee on Governmental Affairs.

EC-8941. A communication from the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report entitled "Information Collection Budget of the United States Government, Fiscal Year 2000"; to the Committee on Governmental Affairs.

EC-8942. A communication from the Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Code of Federal Regulations; Authority Citations", received May 9, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC-8943. A communication from the Chairman, New York State Subcommittee on Sweatshops, transmitting a report entitled "Behind Closed Doors II: Another Look into the Underground Sweatshop Industry"; to the Committee on Health, Education, Labor, and Pensions.

EC-8944. A communication from the Secretary of Education, transmitting a draft of proposed legislation entitled "College Completion Challenge Grant Act of 2000"; to the Committee on Health, Education, Labor, and Pensions.

EC-8945. A communication from the Office of the Inspector General, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Revised OIG Civil Money Penalties Resulting from Public Law 104-191" (RIN0991-AA90), received May 4, 2000; to the Committee on Health, Education, Labor, and Pensions.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-515. A concurrent resolution adopted by the Legislature of the State of Hawaii relative to the observance of the centennial of the Organic Act; to the Committee on Energy and Natural Resources.

HOUSE CONCURRENT RESOLUTION NO. 27

Whereas, on January 17, 1898, the Kingdom of Hawaii was overthrown; and

Whereas, on July 7, 1898, the Republic of Hawaii was annexed by the United States by a Joint Resolution of Annexation; and

Whereas, after annexation, United States President William McKinley appointed, pursuant to the Joint Resolution, five commissioners to recommend to Congress "such legislation concerning the Hawaiian Islands as they shall deem necessary or proper"; and

Whereas, the five commissioners were United States Senators Shelly M. Cullom, chairman, and John T. Morgan; United States Representative Robert R. Hitt; and Hawaii residents Sanford B. Dole, and Walter F. Frear; and

Whereas, the commissioners held meetings and hearings in Honolulu and the neighbor islands in the fall of 1898; and

Whereas, on December 6, 1898, President William McKinley of the United States transmitted the report of the Hawaiian Commission, appointed pursuant to the "joint resolution to provide for annexing the Hawaiian Islands to the United States," approved July 7, 1898; together with a copy of the civil and penal laws of Hawaii; and

Whereas, on April 30, 1900 the Congress of the United States passed the Organic Act; and

Whereas, the Organic Act provided for a government for the Territory of Hawaii; and

Whereas, the Hawaiian Islands consisted of the following islands: Hawaii, Maui, Oahu, Kauai, Molokai, Lanai, Niihau, Kahoolawe, Molokini, Lehua, Kaula, Nihoa, Necker, Laysan, Gardner, Lisiansky, Ocean, French Frigates Shoal, Palmyra, Brooks Shoal, Pearl and Hermers Reef, Gambia Shoal and Dowsett and Maro Reef; and

Whereas, under the laws of the Kingdom of Hawaii, the Crown lands were declared to be inalienable; and

Whereas, under the Organic Act, the Crown lands were declared to be public domain and "subject to alienation and other uses as provided by law"; and

Whereas, On July 9, 1921 the Congress of the United States enacted the Hawaiian Homes Commission Act; and

Whereas, On March 18, 1959 the Congress of the United States enacted An Act to Provide for the Admission of the State of Hawaii into the Union; and

Whereas, in December 1999, representatives of the Department of Interior held reconciliation discussions within the Native Hawaiian communities regarding the unlawful overthrow of the Kingdom of Hawaii; now, therefore, be it

Resolved by the House of Representatives of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, the Senate concurring. That the centennial anniversary of the passage of the Organic Act is hereby commemorated; and be it further

Resolved, That members of the House of Representatives and the Senate of the Twentieth Legislature, "Express Aloha" to the Native Hawaiian community on this centennial event that saddens many Native Hawaiians; and be it further

Resolved, That all members of the House of Representatives and the Senate of the Twentieth Legislature of the State of Hawaii, are encouraged to gather with the Native Hawaiian community at Iolani Palace on April 30, 2000, commemorating the centennial of the Organic Act; and be it further

Resolved, That this Concurrent Resolution serve as a reminder to the United States Congress of its involvement in the creation of the Organic Act; and be it further

Resolved, That this Concurrent Resolution serve as an invitation to President William Jefferson Clinton of the United States of America and the Congress of the United States to gather with the Native Hawaiian community at Iolani Palace on April 30, 2000, commemorating the Centennial of the Organic Act or at their earliest convenience; and be it further

Resolved, That certified copies of this Concurrent Resolution be transmitted to the President of the United States, the United States Secretary of State, the Attorney General of the United States, the United States Secretary of the Interior, the President of